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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/619,259  | 07/14/2003  | John Irving          | 3800.01             | 7049             |
| 7590  | 01/09/2006  |                      | EXAMINER            |                  |
| JAMES D. FORNARI ESQ<br>SUITE 3-A<br>1020 PARK AVENUE<br>NEW YORK, NY 10028 |             |                      | DARNO, PATRICK A    |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2163                |                  |

DATE MAILED: 01/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |  |                                   |
|------------------------------|--|-----------------------------------|
| <b>Office Action Summary</b> | <b>Application No.</b>                     | <b>Applicant(s)</b>               |
|                              | 10/619,259<br>Examiner<br>Patrick A. Darno | IRVING ET AL.<br>Art Unit<br>2163 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 14 July 2003.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 14 July 2003 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

1. Claim 1 is pending in this office action.

***Specification***

2. The specification of the disclosure is objected to because it lacks a brief description of the drawings. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

**Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or  
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (f) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a

nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,381,444 issued to Alok Aggarwal et al. (hereinafter Aggarwal) in view of U.S. Patent Application Publication Number 2003/0110215 issued to Raymond Anthony Joao (hereinafter "Joao") and further in view of U.S. Patent Number 6,438,632 issued to Satoru Kikugawa (hereinafter "Kikugawa").

**Claim 1:**

Aggarwal discloses an apparatus for monitoring and filtering data transmission to screen unwanted material comprising  
a first filter for initially screening data to create a community of input data  
(Aggarwal: column 4, lines 62-67; After reviewing the specification the examiner interprets "first filter" to simply be an authentication process that allows only teachers to submit class data. The reference cited here by the examiner discloses an apparatus, which only grants instructors (teachers) authorization privileges to submit class data (schedule a virtual class). Since only instructors have "authorization privileges", that

must mean that there are some users who don't have "authorization privileges" and further it means that an authentication system (or filter) must be in place to eliminate those who do not have the authorization privileges.),

Aggarwal does not explicitly disclose a dynamic search engine to permit those members of the community to search the data initially screened. However, Joao discloses a dynamic search engine to permit those members of the community to search the data initially screened (Joao: paragraph [0260], lines 1-7; First examiner notes that search engines are well known in the art. Further note that the Joao reference explicitly suggests using a search engine to retrieve educational materials archived in a database in paragraph [0260]). It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teachings of Aggarwal with the teachings of Joao noted above for the purpose of using a search engine to retrieving stored information (Joao: paragraph [0260], lines 1-7). The skilled artisan would have been motivated to improve the invention of Aggarwal per the above such that the education material submitted by the instructor could be retrieved using a search engine (Joao: paragraph [0260], lines 1-7).

The combination of Aggarwal and Joao does not explicitly disclose a second dynamic filter controlled by a central location to permit monitoring and filtering of the data transmitted and a flagging filter to scan messages and data prior to delivery. However Kikugawa discloses a second dynamic filter controlled by a central location to permit monitoring and filtering of the data transmitted (Kikugawa: column 2, lines 7-21; The filter is the examining of the message with reference to a prohibited words list.) and

a flagging filter component to scan messages and data prior to delivery (Kikugawa: column 5, lines 18-27; The filter is the examining of the message with reference to a prohibited words list.). It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the previously mentioned combination with the teachings of Kikugawa noted above for the purpose of inhibiting the posting of improper messages (Kikugawa: column 1, line 66 - column 2, line1). The skilled artisan would have been motivated to improve the previously mentioned combination per the above such that messages containing prohibited words are rejected (Kikugawa: abstract, lines 12-17).

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick A. Darno whose telephone number is (571) 272-0788. The examiner can normally be reached on Monday - Friday, 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PD

Patrick A. Darno  
Examiner  
Art Unit 2163

*Patrick A. Darno*